Claims 1-39 are pending. Claims 27-39 are withdrawn pursuant to the Examiner's previous restriction requirement.

The Examiner rejected Claims 1-26 under 35 U.S.C. § 102(e) as being unpatentable over U.S. Patent Application Publication 2005/147062 ("Khouaja"). With respect to independent Claims 1, 8, 14, 17, 22, the Examiner states:

> Regarding **claim 1** Khouaja et al teaches a method of enabling channel scanning in a wireless station, said method comprising (figs. 1-9 and 13):
>
> receiving from an access point data related to a possibility of domain change (para. # 0077 0080-0081, 0091-0095,0112); and selecting a channel scanning method based upon said data (para. # 0077 0080-0081, 0091-0095,0112).
>
> *   *   *
>
> Regarding **claim 8** Khouaja et al teaches a method of enabling channel scanning in a wireless station, said method comprising (figs. 1-9 and 13):
>
> establishing communication between said wireless station and an access point (para. # 0077 0080-0081, 0091-0095,0112); receiving information in a lifetime field related to a period of time during which domain information could be used after the communication between said wireless station and said access point has been lost (para. # 0077 0080-0081, 0091-0095,0112); and determining whether an elapsed period of time after the communication between said wireless station and said access point has been lost is greater than the period of time in said lifetime field (para. # 0077 00800081, 0091-0095,0110,0112).
>
> *   *   *
>
> Regarding **claim 14** Khouaja et al teaches a method of enabling channel scanning in a wireless station, said method comprising (figs. 1-9 and 13):
>
> determining if a channel of a plurality of available channels is a domainindependent channel; and actively scanning the domain-independent channel (para. # 0077 0080-0081, 0091-0095,0112).

*   *   *

Regarding **claim** 17 Khouaja et al teaches a wireless station adapted to scan for channels in a wireless communication network, said wireless station comprising (figs. 19):

a receiver for receiving a data block, wherein said data block comprises a domain change pre-alert field (para. # 0077 0080-0081, 0091-0095,0112); a controller coupled to said receiver, said controller selecting a channel scanning method based upon data in said domain change pre-alert field (para. # 0077 0080-0081, 00910095,0112); and a transmitter coupled to said controller (para. # 0077 0080-0081, 00910095,0112).

*   *   *

Regarding **claim 22** Khouaja et al teaches a wireless station adapted to scan for channels in a wireless communication network, said wireless station comprising (figs. 1

a receiver for receiving a data block, wherein said data block comprises a lifetime field (para. # 0077 0080-0081, 0091-0095,0112); a controller coupled to said receiver, said controller selecting a channel scanning method based upon data in said lifetime field ; and a transmitter coupled to said controller (para. # 0077 0080-0081, 00910095,0112).

Applicants respectfully traverse the Examiner's rejection. Independent Claims 1, 8, 14, 17 and 22 each recite either the term "regulatory domain" or "domain-independent channel":

1.   A method of enabling channel scanning in a wireless station, said method comprising:

receiving from an access point data related to a possibility of a <u>regulatory domain</u> change; and

selecting a channel scanning method based upon said data.

*   *   *

8.   A method of enabling channel scanning in a wireless station, said method comprising:

establishing communication between said wireless station and an access point;

Application No. 10/733,927

-3-

receiving information in a lifetime field related to a period of time during which regulatory domain information could be used after the communication between said wireless station and said access point has been lost; and

determining whether an elapsed period of time after the communication between said wireless station and said access point has been lost is greater than the period of time in said lifetime field.

*   *   *

14.   A method of enabling channel scanning in a wireless station, said method comprising:

determining if a channel of a plurality of available channels is a domain-independent channel; and

actively scanning the domain-independent channel.

17.   A wireless station adapted to scan for channels in a wireless communication network, said wireless station comprising:

a receiver for receiving a data block, wherein said data block comprises a regulatory domain change pre-alert field;

a controller coupled to said receiver, said controller selecting a channel scanning method based upon data in said regulatory domain change pre-alert field; and

a transmitter coupled to said controller.

*   *   *

22.   (Previously presented) A wireless station adapted to scan for channels in a wireless communication network, said wireless station comprising:

a receiver for receiving a data block, wherein said data block comprises a lifetime field related to the extent of a regulatory domain;

a controller coupled to said receiver, said

controller selecting a channel scanning method based
upon data in said lifetime field; and

a transmitter coupled to said controller.

(emphasis added)

Applicants' Specification explains that the terms "regulatory domain" and "domain-independent channel" at paragraphs 3 and 16 (paragraph referenced as originally filed):

Regulatory domains, such as individual nations,
independently determine the frequency band and the
maximum transmission power allowed for wireless
communication systems. The conditions established by each
regulatory domain may vary significantly even for the same
wireless communication system. For example, while the 4.9-
5.0 gigahertz (GHz) band is allowed for IEEE802.11a wireless
local area network (WLAN) in Japan, the 4.94-4.99 GHz band
is reserved for public safety band in the United States, and
thus cannot be used for IEEE802.11a. Similarly, the 5.470-
5.725 GHz band, which is planned to be used for IEEE802.11a
WLAN in Europe, overlaps with a military band in the United
States.

*   *   *

Further, IEEE 802.11d does not consider domain-independent channels. Some channels of a WLAN may be
common to several neighboring domains or even for all
participating domains. Therefore, there is no danger of
violating regulations in transmitting a probe request frame on
this kind of domain-independent channel. Accordingly, the
domain independent channels can be actively scanned without
waiting for domain information. IEEE 802.11d, however, does
not consider domain independent channels, and passively
scans domain-independent channels.

(emphasis added)

Thus these terms are understood by those skilled in the art to have meanings consistent with the above descriptions in Applicants' Specification. That is, a "regulatory domain" includes constraints in communication imposed by a sovereign, and a "domain-independent channel" exists in an area free of such constraints. However, in rejecting Applicants' Claims 1-26, the Examiner gave no weight to the specific meanings of these terms. Khouaja's paragraphs 77, 80-81, 91-95 and 112, on which the Examiner based all his
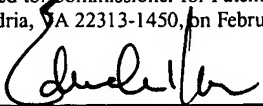
rejections, neither disclose nor suggest either "regulatory domains" or "domain-independent channels". Khouaja relates to very specific "mobility domains" which are defined in Khouaja's paragraph 77:

> The mobility manager GM1, the interface devices DI1 and DI2 and the access points PA1i and PA2j (for i=1 to N and j=1 to P) form a first mobility domain DM1 in which a mobile transmitter/receiver ERM is capable of moving. A telecommunication system SYST according to the invention may include, as is the case here, a first and a second mobility domain [D]M1 and [D]M2, respectively, capable of communicating with one another via the communication network NWG, each of the mobility managers GM1 and GM2 being equipped with a database BD1 and BD2 and controlling interface devices connected to one another by networks NW1 and NW2. The transmitter/receiver may switch from one mobility domain to the other, for example, by leaving a current access point belonging to the first mobility domain DM1 and by connecting to a new access point belonging to the second mobility domain DM2. The procedure for executing this domain change will be similar to the one used according to the invention to execute a current access point change within the same mobility domain, except that the data intended for the mobile transmitter/receiver being transmitted at the time of the change of access point must be redirected by the mobility manager of the domain to which the old access point belongs to the new current access point, potentially via the mobility manager of the mobility domain to which this new current access point belongs.
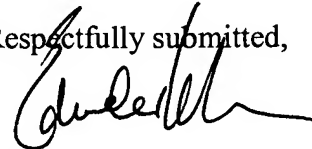
These mobility domains are unrelated to the "regulatory domains" and "domain-independent channel" recited in independent Claims 1, 8, 14, 17 and 22. In fact, if Khouaja's mobility domains belong to different regulatory domains, following Khouaja (e.g., connecting to the new access point in the manner taught by Khouaja's paragraph 93), one may expect violations of frequency and power constraints imposed by their respective regulatory domains, when moving between Khouaja's mobility domains. These violations are avoided in the methods of Claims 1, 8, 17 and 22. Similarly, if Khouaja's mobility domains support IEEE 802.11a, following Khouaja (e.g., relying on a mobility manager to supply a list of neighboring access points, as taught in Khouaja's paragraph 91), one would not perform the active scanning recited in Applicants' Claim 14. Thus, Applicants respectfully submit that Khouaja neither discloses nor suggests Applicants' Claims 1, 8, 14,

17 and 22, and their respective dependent Claims 2-7, 9-13, 15-16, 18-21 and 23-26. Claims 1-26 are therefore allowable over Khouaja. Reconsideration and allowance of Claims 1-26 are therefore requested.

All claims (i.e., Claims 1-26) are therefore allowable. If the Examiner has any question regarding the above, the Examiner is respectfully requested to telephone the undersigned Attorney for Applicant at (408)-392-9250.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 22, 2006.

_____   2/22/2006
Attorney for Applicant(s)   Date of Signature

Respectfully submitted,

Edward C. Kwok
Patent Attorney
Reg. No. 33,938
Telephone: (408) 392-9250

Law Offices Of
MacPherson Kwok Chen & Heid LLP
1762 Technology Drive, Suite 226
San Jose, CA 95110